

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: JULY 9, 2009

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT:

SUP-34572 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: IMAGINE SCHOOLS - OWNER: 4025 RANCHO, LLC - Request for a Special Use Permit FOR A 100-STUDENT PRIVATE SCHOOL, PRIMARY WITHIN AN EXISTING 11,000 SQUARE-FOOT CHURCH BUILDING at 4025 North Rancho Drive Suite #120 (APN 138-02-814-032), C-2 (General Commercial) Zone, Ward 6 (Ross)

C.C: 08/05/2009

IF DENIED, P.C.: FINAL ACTION (Unless Appealed Within 10 Days)

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

4

Planning Commission Mtg.

2

City Council Meeting

0

City Council Meeting

0

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda – Protest Postcards

Motion made by MICHAEL E. BUCKLEY to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

MICHAEL E. BUCKLEY, VICKI QUINN, BYRON GOYNES, GLENN TROWBRIDGE, RICHARD TRUESDELL, STEVEN EVANS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-KEEN ELLSWORTH)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open.

STEVE GEBEKE, Planning and Development, indicated the request for a private school to be located within an existing church facility. The location of the proposed school within a commercial subdivision is not appropriate, as the surrounding uses are too intense. The site is

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parking impaired, and there are no provisions for outdoor activities. In addition, the drop off area is separated from the building by a driving lane and is a safety hazard. Staff recommended denial of the request.

JOHN LOPEMAN, 8965 South Eastern Avenue, appeared on behalf of the applicant, who was also present. Utilizing the drawing, MR. LOPEMAN explained the drop off location, which will be coned off and supervised.

PASTOR RICHARD BOX, 4025 North Rancho Drive, confirmed there is no parking in the church area, as there are no activities at that time. Children are their primary concern, and he emphasized that traffic is very minimal in the area where they designated as a drop off/pick up zone for the parents.

TODD FARLOW asked the ages of the children and the tenure of the children attending the school. CONNIE BURCH, Principal of Imagine Schools, answered there will be 100 students, and the school is for kindergartens only. There is an area within the church that has equipment that the students can play on.

The Commission expressed concern that a play area/outdoor recreation was not being provided for these 100 five-year olds. MS. BURCH responded that the subject site will be used temporarily for several months until their facility is developed, which will have a large play area. MR. LOPEMAN clarified that the other site is a portable building on site at the Meadows Fellowship Church. This church is developing a large five-acre site and a large play area is inclusive.

Having experience in schools and referring to State codes, COMMISSIONER TRUESDELL understood that a certain amount of play area has to be provided for each student. The Commission could not support this request and was concerned that the children would be kept in the same area for a long period of time without providing a recreation area.

COMMISSIONERS EVANS and GOYNES questioned if there was a provision within the Code that allowed a temporary use with an expiration date. MARGO WHEELER, Director of Planning and Development, emphasized that significant improvements would have to be done with the existing structure. She informed COMMISSIONER EVANS that the special use permit runs with the land. A review period can be placed on this requested special use permit, at which time the review period would no longer be necessary. She pointed out that the other site mentioned by MR. LOPEMAN was not included in the applicant's justification letter. The Commissioner questioned why the applicant is committing a lot of resources for a temporary plan.

MS. BURCH informed COMMISSIONER QUINN that parents are aware of the temporary situation, and the waiting list is full with 100 students. The goal is for school to begin on August 24th; if not, this temporary facility would be the back-up plan. She assured the Commission that plans are being worked on to provide for a quality location for the kids. In the meantime, she

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was open to installing a playground area if necessary. The current facility at the YMCA is at capacity, resulting in the waiting list.

CHAIR TROWBRIDGE was aware of the pastor's excellent reputation with youth; however, he was perplexed that he was involved in such a plan that did not involve a recreational area for the kids. He suggested a review period, as he would be disappointed in that so much time, effort and substantial monies went into this plan yet did not work.

COMMISSIONER GOYNES believed the applicant was rushing the proposal and placing the kids in a warehouse environment. He emphasized that a precedent for education and molding the kids has to be set from day one, and there needs to be prudence in utilizing available resources. It is neither appropriate nor beneficial to have a facility that is not properly planned for the kids attending this school.

CHAIR TROWBRIDGE declared the Public Hearing closed.

